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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2006 JUL 31 P 2: 42

3 JEFF HATCH-MILLER, Chairman WILLIAM A. MUNDELL 4

MIKE GLEASON KRISTIN K. MAYES

AZ CORP COMMISSION BOCUMENT CONTROL

5 **BARRY WONG**

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IN THE MATTER OF:

ESCHELON TELECOM OF ARIZONA, INC.

Complainant,

VS

OWEST CORPORATION,

Respondent.

DOCKET NO. T-03406A-06-0257 DOCKET NO. T-01051B-06-0257

> Arizona Corporation Commission DOCKETED

> > JUL 31 2006

DOCKETED BY PROCEDURAL ORDER YV

BY THE COMMISSION:

On April 14, 2006, Eschelon Telecom of Arizona, Inc. ("Eschelon") filed with the Arizona Corporation Commission ("Commission") a complaint against Qwest Corporation ("Qwest") stating that Owest has refused to provide both repairs for disconnects in error and the capability to expedite orders for unbundled loops under the repair and expedite language of the Qwest-Eschelon Interconnection Agreement ("ICA").

A number of procedural events have occurred in this docket. By procedural order issued July 28, 2006, Owest was directed to file its Direct Testimony by "April 28, 2006, unless the parties come to mutual agreement regarding a different date" (July 28, 2006 Procedural Order, p. 3). The "April 28, 2006" date was a typographical error that should have stated "August 21, 2006."

IT IS THEREFORE ORDERED that the "April 28, 2006" filing date for Qwest's Direct **Testimony** shall be amended to August 21, 2006.

IT IS FURTHER ORDERED that in all other respects the July 28, 2006 Procedural Order shall remain in full force and effect.

IT IS FURTHER ORDERED that all parties must comply with Rule 38 (a) of the Rules of the Arizona Supreme Court with respect to practice of law and admission pro hac vice.

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1 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the 2 3 Arizona Supreme Court). Representation before the Commission includes the obligation to appear at 4 all hearings and procedural conferences, as well as all Open Meetings for which the matter is 5 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the 6 Administrative Law Judge or the Commission. 7 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized 8 Communications) applies to this proceeding and shall remain in effect until the Commission's Decision in this matter is final and non-appeable. IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive 10 11 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing. Dated this day of July, 2006 12 13 14 15 ADMINI&TRATWE LAW JUDGE 16 Copies of the foregoing mailed/delivered 17 day of July, 2006 to: this 18 Michael W. Patten ROSHKA, DeWULF & PATTEN 19 400 East Van Buren Street, Ste. 800 Phoenix, AZ 85004 20 Attorneys for Eschelon Telecom of Arizona, Inc. 21 Karen L. Clauson Eschelon 22 730 2nd Avenue South, Ste. 900 Minneapolis MN 55402 23 Norman G. Curtright 24 Owest Corporation 20 E. Thomas Road, 16th Floor 25 Phoenix, AZ 85012 26 Charles W. Steese Steese & Evans, P.C. 27 6400 South Fiddlers Green Circle, Ste. 1820 Denver CO 80111

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11	By: Molly Johnson
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